

REMARKS

In response to the Final Office Action dated June 17, 2008, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance. Prior to entry of this response, Claims 1-12 and 15-45 were pending in the application, of which Claims 1, 19, 29, 38, and 44 are independent. In the Final Office Action, Claims 1-12 and 15-45 were rejected under 35 U.S.C. § 103(a) and Claims 2, 5, and 44 were objected to. Following this response, Claims 1-12 and 15-45 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Interview Summary

Applicants thank Examiner Neway for the courtesy of a telephone interview on July 22, 2008, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the cited references do not render obvious the claims as currently amended. The Examiner stated that the limitation detailing profile database preferences, as included in amended Claim 1, may overcome the cited references, and that an updated search may be necessary. No agreement was reached regarding patentability.

II. Objection to the Claims

In the Final Office Action dated June 17, 2008, the Examiner objected to Claims 2, 5, and 44 as containing various informalities. The Examiner stated that Claim 2 was of improper dependent form for failing to further limit the subject matter of a previous claim. In addition, the Examiner stated that Claims 2, 5, and 44 were objected to for failing to provide sufficient antecedent basis for the term 'the query'. Claims 2, 5, and 44 have been amended in an effort to address the Examiner's concerns. Applicants respectfully submit that the amendments overcome this objection and add no new matter.

III. Rejection of Claims Under 35 U.S.C. § 103(a)

In the Final Office Action, the Examiner rejected Claims 1-12 and 15-45 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2002/0035493 ("*Mozayeny*") in view of U.S. Publication No. 2001/0047264 ("*Roundtree*"). Claims 1, 19, 29, 38, and 44 have been amended, and Applicants respectfully submit that the claims, as amended, are patentable over the cited art and that the amendments add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "the preferences being previously obtained through at least one of the following: previous verbal communication with the customer, data message transaction with the customer, and tracking pervious scheduling requests made by the customer," and "wherein updating the request data to include the preferences containing the information omitted in the request data does not require

further customer interaction.” Amended Claims 19, 29, 38, and 44 each includes a similar recitation. Support for these amendments can be found in the specification at least on page 13, lines 17-24.

Consistent with exemplary embodiments, an application server may formulate a query to a scheduling database to determine if a request may be compatible with a current schedule. (See, e.g., specification page 13, lines 17-18.) The query may be formulated based upon request data keywords that may have been received from a voice services node. (See, e.g., specification page 13, lines 19-20.) When the request omits or has yet to provide some information that may be included in the query, the application server may access a profile database to search for a requesting party's preferences that may be used to complete the query formulation. (See, e.g., specification page 13, lines 20-23.) The application server may obtain the requesting party's preferences from the profile database. (See, e.g., specification page 13, lines 23-24.)

In contrast, and as stated by the Examiner, *Mozayeny* at least does not disclose accessing a customer's preferences from a profile database. (See Office Action page 4, lines 13-14.) Because *Mozayeny* does not access a customer's preferences, *Mozayeny* cannot disclose updating request data based on customer preferences, containing omitted information, without further customer interaction.

Furthermore, *Roundtree* does not overcome *Mozayeny*'s deficiencies. *Roundtree* merely discloses a system server that determines whether to prompt a requester for service information. (See paragraph [0048], lines 1-2.) For example, if a requestor in *Roundtree* has requested a restaurant reservation without specifying a

particular restaurant, the system server can query the requester for restaurant type and location desired. (See paragraph [0048], lines 8-11.) Accordingly, if *Roundtree's* system server requires more information from the requester, it prompts the requester to obtain service information, and receives service information from the requester. (See paragraph [0049], lines 8-11.) Consequently, *Roundtree* cannot disclose updating request data based on profile preferences without further customer interaction. Rather, *Roundtree* discloses prompting the requester for the omitted information if the system server requires more information from the requester. As a result, *Roundtree* teaches away from updating request data based on customer preferences, containing omitted information, without further customer interaction because *Roundtree* prompts the requester for the omitted information.

Combining *Mozayeny* with *Roundtree* would not have led to the claimed subject matter because *Mozayeny* and *Roundtree*, either individually or in combination, at least do not disclose "the preferences being previously obtained through at least one of the following: previous verbal communication with the customer, data message transaction with the customer, and tracking previous scheduling requests made by the customer," and "wherein updating the request data to include the preferences containing the information omitted in the request data does not require further customer interaction," as recited by independent Claim 1. Amended Claims 19, 29, 38, and 44 each includes a similar recitation. Accordingly, independent Claims 1, 19, 29, 38, and 44 are each patentably distinguishable over the cited art, and Applicants respectfully requests withdrawal of this rejection of Claims 1, 19, 29, 38, and 44.

Dependent Claims 2-12, 15-18, 20-28, 30-37, 39-43, and 45 are also allowable at least for the reasons described above regarding independent Claims 1, 19, 29, 38, and 44 and by virtue of their respective dependencies upon independent Claims 1, 19, 29, 38, and 44. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-12, 15-18, 20-28, 30-37, 39-43, and 45.

IV. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and further examination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Final Office Action, and therefore do not address patentable aspects of the claimed subject matter that were not addressed by the Examiner in the Final Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Final Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
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